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Patent  
Attorney's Docket No. 021565-060

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

REQUEST FOR FILING CONTINUATION/DIVISIONAL  
APPLICATION UNDER 37 C.F.R. § 1.53(b)

Box PATENT APPLICATION  
Assistant Commissioner for Patents  
Washington, D.C. 20231

JC542 U.S. PTO  
09/287632  
04/07/99

Sir:

This is a request for filing a ☒ continuation ☐ divisional application under 37 C.F.R.  
§ 1.53(b) of pending Application No. 09/056,767 filed April 8, 1998 and 09/127,735 filed on  
August 3, 1998, for METHODS AND MEANS FOR OBTAINING MODIFIED PHENOTYPES,  
by the following named inventor(s):

- (a) Full Name Peter Michael Waterhouse
- (b) Full Name Ming-Bo Wang
- (c) Full Name Michael Wayne Graham

☒ The entire disclosure of the prior application from which a copy of the oath or declaration is  
supplied herewith is considered as being part of the disclosure of the accompanying  
application and is hereby incorporated by reference therein.

☐ This application is being filed by less than all the inventors named in the prior application.  
In accordance with 37 C.F.R. 1.63(d)(2), the Commissioner is requested to delete the  
name(s) of the following person or persons who are not inventors of the invention being  
claimed in this application.

- (a) Full Name \_\_\_\_\_
- (b) Full Name \_\_\_\_\_
- (c) Full Name \_\_\_\_\_

1. ☐ Enclosed is a copy of the prior Application No. \_\_ as originally filed on \_\_, including  
copies of the specification, claims, drawings and the executed oath or declaration as  
filed.
2. ☐ Enclosed is a revised prior application and a copy of the prior executed oath or  
declaration as filed. No new matter has been added to the revised application.
3. ☐ \_\_\_\_\_ statement(s) claiming small entity status ☐ are enclosed ☐ were filed in  
prior Application No. \_\_, filed on \_\_.

4. ☒ The filing fee is calculated below ☒ and in accordance with the enclosed preliminary amendment:

CLAIMS					
	NO. OF CLAIMS		EXTRA CLAIMS	RATE	FEE
Basic Application Fee					\$760.00
Total Claims	38	MINUS 20 =	18	x \$18.00 =	\$324.00
Independent Claims	12	MINUS 3 =	9	x \$78.00 =	\$702.00
If multiple dependent claims are presented, add \$260.00					
Total Application Fee					\$1,786.00
If small entity status is claimed, subtract 50% of Total Application Fee					
Add Assignment Recording Fee of \$40.00 if Assignment document is enclosed					
<b>TOTAL APPLICATION FEE DUE</b>					<b>\$1,786.00</b>

5. ☐ Charge \$ \_\_\_\_\_ to Deposit Account No. 02-4800 for the fee due.
6. ☒ A check in the amount of \$ 1,786.00 is enclosed for the fee due.
7. ☒ The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in triplicate.
8. ☐ Cancel in this application original claims \_\_ of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
9. ☒ Amend the specification by inserting before the first line the sentence: --This application is a  
[X] continuation, [ ] divisional, of Application No. 09/127,735, filed August 3, 1998  
and of 09/056,767, filed April 8, 1998.--
10. ☐ Transfer the drawings from the pending prior application to this application and abandon said prior application as of the filing date accorded this application. A duplicate of this paper is enclosed for filing in the prior application file. (May only be used if signed by person authorized under 37 C.F.R. § 1.138 and before payment of issue fee.)

11. ☒ New drawings are enclosed.
12. ☐ Priority of Application No. \_\_\_\_\_ filed on \_\_\_\_ in \_\_\_\_\_ (country) is claimed under 35 U.S.C. § 119.
- ☐ The certified copy of the priority application
- ☐ is enclosed
- ☐ was filed on \_\_ in prior Application No. \_\_, filed on \_\_
- ☐ has not yet been filed.
13. ☐ A preliminary amendment is enclosed.
14. ☒ Also enclosed Information Disclosure Statement\_\_\_\_\_.
15. ☒ The power of attorney in the prior application is to R. Danny Huntington, Esq..
- a. ☐ The power appears in the original papers in the prior application.
- b. ☒ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- c. ☒ Recognize as Associate Attorney Malcolm K. McGowan, Ph.D., Reg. No. 39,300.
- d. ☒ Address all future communications to: (May only be completed by applicant, or attorney or agent of record.)

R. Danny Huntington, Esq.  
BURNS, DOANE, SWECKER & MATHIS, L.L.P.  
P.O. Box 1404  
Alexandria, Virginia 22313-1404

April 7, 1999  
Date

By: Malcolm K. McGowan  
Malcolm K. McGowan, Ph.D.  
Registration No. 39,300

ADDRESS OF  
SIGNATOR:

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- ☐ inventor(s)  
☐ assignee of complete interest  
☐ attorney or agent of record  
☒ filed under 37 C.F.R. § 1.34(a)